

## REMARKS

The drawings are amended, per the attached, to overcome a few noted informalities contained therein, namely, to correct the cross hatching in Fig. 1 and to label Fig. 4 as "PRIOR ART." The accompanying new Replacement Sheets of formal drawings incorporate all of the requested drawing amendments. If any further amendment to the drawings is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

Claims 10 and 15 are then rejected under 35 U.S.C. § 112, first paragraph, for the various reasons noted in the official action. The inadequate written description rejection is acknowledged and respectfully traversed in view of the following remarks.

It is to be noted that the specification, as described with reference to Fig. 1, clearly discloses how the invention operates. That is, as described therein, the luminescent signage component 10 has a body 20 with a first face 22 and a second face 24. One or more cavities 26, defining the indicia, are formed in the first face 22 of the body 20 and each cavity penetrates the first surface and extends toward the second face 24. Thereafter, a luminescent epoxy 28 fills each cavity 26. At least the base portion of each cavity is sufficiently transparent, e.g., transparent portion 30, so that a light source 14, oriented within an enclosure 12 to shine on second face 24, can illuminate the luminescent epoxy 28. Radiant light 16 from light source 14 passes through transparent portion 30 and strikes the luminescent epoxy 28 thereby charging and illuminating the indicia.

Upon further review of diagrammatic Fig. 1, it is noted that this Figure may arguably suggest that the transparent portion 30 is manufactured from a different material than a remainder of the body 20, due to the lack of shading for the transparent portion 30, which was merely intended to indicate that light can readily pass through this portion of the body 20. In order to correct any possible misconception and also provide consistency with the remainder of the disclosure, the accompanying annotated Fig. 1 more accurately shows the sign plate 20 being formed as a single layer of material. That is, the entire body 20 of Fig. 1 now has a uniform cross hatching. What is important is that the body 20, regardless of the material used to manufacture the same, is sufficiently transparent/translucent so the radiant light 16 can pass through the body 20 and illuminate and energize the luminescent epoxy 28.

In practice, the body 20 is formed of a transparent material and the cavities are typically formed by routing out the desired indicia in the first surface of the body 20. As a result of this process, the base of each cavity 26 which is formed in the body 20 in the first face 22 will have a transparent portion 30 which will permit light from the light source 14 to energize the luminescent epoxy 28. The remainder of the body 20 can either remain transparent/translucent or be painted, coated, etc.

In view of the above clarification and amended to Fig. 1, it is respectfully requested that the Examiner withdraw the raised 35 U.S.C. § 112, first paragraph, rejection at this time. If any further amendment to the drawings or to the specification is believed necessary, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

Next, claims 10 and 15 are rejected, under 35 U.S.C. § 102, as being anticipated in view of U.S. Pat. No. 5,607,222 to Woog (hereinafter Woog `222). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

In the description of prior art set forth in the Background of the Invention, the Applicant discusses U.S. Patent No. 6,358,563 to van Duynhoven (hereinafter van Duynhoven `563), which teaches marking luminescent indicia using a stencil and luminescent paint. It is respectfully submitted that Woog `222 is merely a backlit version of van Duynhoven `563. As such, it has the same inadequacies. There is not sufficient luminescent material to maintain the indicia illuminated for the length of time required.

In an attempt to overcome this inadequacy, Woog `222 teaches a sign that has luminescent paint applied over a transparent area of the plate in the form of "an appropriate inscription", that is charged periodically by a strobe light. In opposition to the teaching of Woog `222, claims 10 and 15 of the presently claimed invention refer to a *constant light source* for backlighting the *inlaid cavities filled with luminescent epoxy*.

Claims 10 and 15 are distinctly different from the teaching of Woog `222. The Applicant submits that use of the term "an appropriate inscription" in Woog `222 does not encompass a cavity forming the indicia as presently claimed. The various definitions of the term inscription imply a more permanent or important form of writing or drawing, but do not include a cavity. Furthermore, the fact that a luminescent paint is used to make the inscription, which would

result in a thin layer, indicates that a cavity is not taught by Woog `222, nor was it contemplated.

Further, while not argued by the Examiner, the Applicant also submits that claims 10 and 15 would not be obvious based on Woog `222 as there would be no motivation to modify Woog `222 in order to reach what the Applicant is currently claiming. In Woog `222, the luminescent paint plays an active role during the use of the sign device, as it is charged periodically by the strobe light. The paint is not intended to store a large amount of light energy in order to continue operation in the event of a power failure. Woog `222 does not contemplate a situation in which the power to the strobe light fails. Instead, the sign device taught by Woog `222 is intended to be used in situations where providing power is difficult (see column 1, lines 31 – 35). This is further emphasized by the fact that the paint requires periodic charging, implying that, if the strobe light were to fail, the sign device would fail soon after as well. On the other hand, the effect of the luminescent epoxy, as presently claimed by the Applicant, only becomes noticeable in the event of the light source failing. Until that point, the luminescent epoxy is charged and emits light so as to appear similar to a normal backlit sign, albeit with a different color of light. While Woog `222 provides a power source to a location that would otherwise be difficult to provide power to, the Applicant negates the need for a power source if the power should fail in a location where power is generally available.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejections should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejections or applicability of the Woog `222 reference, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied reference, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

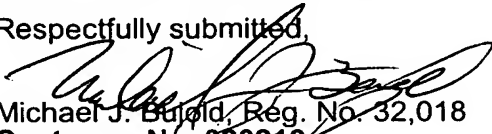
In view of the foregoing, it is respectfully submitted that the raised rejections should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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ANNOTATED SHEET

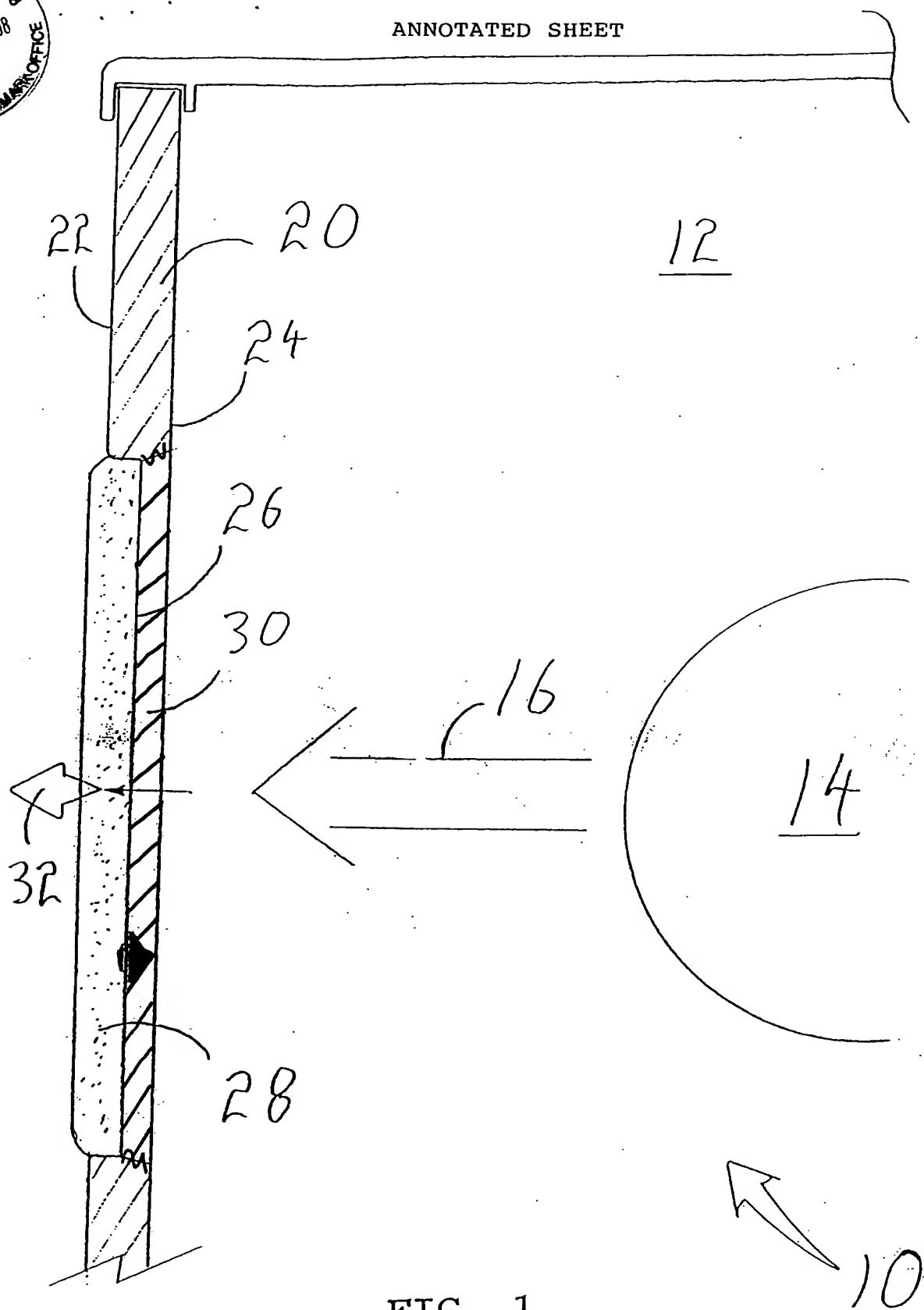


FIG. 1

FIG. 4  
PRIOR ART

